

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

**PLAINTIFFS**  
 United States Securities and Exchange Commission

**DEFENDANTS**  
 Telegram Group Inc. & TON Issuer Inc.

**ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)**  
 Marc P. Berger, Jorge G. Tenreiro, Kevin McGrath  
 200 Vesey Street, Suite 400, New York, N.Y. 10281  
 Tel: 212 336 9145 (Tenreiro)

**ATTORNEYS (IF KNOWN)**  
 Colleen P. Mahoney and Alexander Drylewski  
 Skadden, Arps, Slate, Meagher & Flom, LLP,  
 1440 New York Avenue, NW Washington, DC 20005-2111

**CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)**  
 (DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

*15 U.S.C. § 77e*

 Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No  Yes  Judge Previously Assigned \_\_\_\_\_

 If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

**IS THIS AN INTERNATIONAL ARBITRATION CASE?**

 No  Yes 
**(PLACE AN [X] IN ONE BOX ONLY)**
**NATURE OF SUIT**

		TORTS	ACTIONS UNDER STATUTES			
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>		<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/	[ ] 1625 DRUG RELATED	[ ] 1422 APPEAL	[ ] 375 FALSE CLAIMS	
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY	28 USC 158	[ ] 376 QUI TAM	
[ ] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	[ ] 365 PERSONAL INJURY	[ ] 1423 WITHDRAWAL	[ ] 400 STATE	
[ ] 140 NEGOTIABLE INSTRUMENT	[ ] 320 ASSAULT, LIBEL & SLANDER	PRODUCT LIABILITY	[ ] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	28 USC 881	REAPPORTIONMENT	
[ ] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[ ] 330 FEDERAL EMPLOYERS' LIABILITY			[ ] 1690 OTHER	[ ] 1410 ANTITRUST	
[ ] 151 MEDICARE ACT	[ ] 340 MARINE				[ ] 1430 BANKS & BANKING	
[ ] 152 RECOVERY OF DEFANTED STUDENT LOANS (EXCL VETERANS)	[ ] 345 MARINE PRODUCT LIABILITY		<b>PERSONAL PROPERTY</b>	[ ] 1820 COPYRIGHTS	[ ] 1450 COMMERCE	
	[ ] 350 MOTOR VEHICLE	[ ] 370 OTHER FRAUD	[ ] 830 PATENT	[ ] 1835 PATENT-ABBREVIATED NEW DRUG APPLICATION	[ ] 1460 DEPORTATION	
	[ ] 355 MOTOR VEHICLE PRODUCT LIABILITY	[ ] 371 TRUTH IN LENDING	[ ] 840 TRADEMARK		[ ] 1470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)	
[ ] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[ ] 360 OTHER PERSONAL INJURY	[ ] 380 OTHER PERSONAL PROPERTY DAMAGE			[ ] 1480 CONSUMER CREDIT	
	[ ] 362 PERSONAL INJURY - MED MALPRACTICE	[ ] 385 PROPERTY DAMAGE	<b>PROPERTY RIGHTS</b>		[ ] 1490 CABLE/SATELLITE TV	
[ ] 160 STOCKHOLDERS SUITS		PRODUCT LIABILITY	[ ] 710 FAIR LABOR STANDARDS ACT			
[ ] 190 OTHER CONTRACT CONTRACT PRODUCT LIABILITY			[ ] 720 LABOR/MGMT		[ ] 850 SECURITIES/ COMMODITIES/ EXCHANGE	
[ ] 195 FRANCHISE	<b>ACTIONS UNDER STATUTES</b>					
	<b>CIVIL RIGHTS</b>		<b>LABOR</b>	[ ] 861 HIA (1305ff)	[ ] 890 OTHER STATUTORY ACTIONS	
	[ ] 440 OTHER CIVIL RIGHTS (Non-Prisoner)	[ ] 480 VACATE SENTENCE 28 USC 2255	[ ] 710 FAIR LABOR STANDARDS ACT	[ ] 862 BLACK LUNG (923)	[ ] 891 AGRICULTURAL ACTS	
		[ ] 530 HABEAS CORPUS	[ ] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	[ ] 863 DIWC/DIWV (405(g))		
		[ ] 535 DEATH PENALTY	[ ] 790 OTHER LABOR LITIGATION	[ ] 864 SSID TITLE XVI		
		[ ] 540 MANDAMUS & OTHER	[ ] 791 EMPL RET INC SECURITY ACT (ERISA)	[ ] 865 RSI (405(g))		
<b>REAL PROPERTY</b>						
[ ] 210 LAND CONDEMNATION	[ ] 441 VOTING		<b>IMMIGRATION</b>	[ ] 870 TAXES (U.S. Plaintiff or Defendant)	[ ] 893 ENVIRONMENTAL MATTERS	
[ ] 220 FORECLOSURE	[ ] 442 EMPLOYMENT		[ ] 462 NATURALIZATION APPLICATION	[ ] 871 IRS-THIRD PARTY	[ ] 895 FREEDOM OF INFORMATION ACT	
[ ] 230 RENT LEASE & EJECTMENT	[ ] 443 HOUSING/ ACCOMMODATIONS	[ ] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[ ] 550 CIVIL RIGHTS	26 USC 7609	[ ] 896 ARBITRATION	
[ ] 240 TORTS TO LAND			[ ] 555 PRISON CONDITION		[ ] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION	
[ ] 245 TORT PRODUCT LIABILITY		[ ] 446 AMERICANS WITH DISABILITIES - OTHER	[ ] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT		[ ] 950 CONSTITUTIONALITY OF STATE STATUTES	
[ ] 290 ALL OTHER REAL PROPERTY		[ ] 448 EDUCATION				

Check if demanded in complaint:

 CHECK IF THIS IS A CLASS ACTION  
 UNDER F.R.C.P. 23

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

 Check YES only if demanded in complaint  
 JURY DEMAND:  YES  NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

- |   |   |  |   |  |   |   |
|---|---|--|---|--|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| <input type="checkbox"/> a. all parties represented       |   |  |   |  |   | <input type="checkbox"/> 8 Multidistrict Litigation (Direct File)         |
| <input type="checkbox"/> b. At least one party is pro se. |   |  |   |  |   |   |

(PLACE AN X IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF  2 U.S. DEFENDANT  3 FEDERAL QUESTION  4 DIVERSITY  
(U.S. NOT A PARTY)

**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.****CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [ ] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] 5	DEF [ ] 5
CITIZEN OF ANOTHER STATE	[ ] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6	[ ] 6

**PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)**

U.S. Securities and Exchange Commission  
 New York Regional Office, 200 Vesey Street, Suite 400  
 New York, N.Y. 10281

**DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)**

Telegram Group Inc. - Geneva Place, Waterfront Drive, P.O. Box 3469, Road Town, Tortola, British Virgin Islands

TON Issuer Inc. - Craigmuir Chambers, Road Town, Tortola, British Virgin Islands VG 1110

**DEFENDANT(S) ADDRESS UNKNOWN**

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

**COURTHOUSE ASSIGNMENT**

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:  WHITE PLAINS  MANHATTAN

DATE 10/11/2019 SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO

YES (DATE ADMITTED Mo.Jan. Yr. 2000)  
 Attorney Bar Code # MB3621

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ MAG. JUDGE NETBURN \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)